United States District Court

EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

STATE FARM FIRE AND CASUALTY	§	
COMPANY,	§	
Plaintiff,	§	
	§	
v.	§	ACTION NO. 4:18-CV-760
	§	JUDGE MAZZANT/JUDGE JOHNSON
	§	
COMMTECH SALES, LLC, MICHAEL	§	
MCGRAW, XIP, LLC, and ROAM	§	
TECHNOLOGIES,	§	
	§	
Defendants.	§	

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On March 14, 2019, the Magistrate Judge entered proposed findings of fact and recommendations (Dkt. #51) that Defendant XIP, LLC's ("XIP") Motion to Dismiss Amended Complaint (the "Motion") (Dkt. #24) be **GRANTED**.

Having received the Report of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court. Therefore, XIP's Motion to Dismiss (Dkt. #24) is **GRANTED**.

Accordingly, it is hereby **ORDERED**, **ADJUDGED**, **AND DECREED** that this entire action, and all of the claims asserted therein, be **DISMISSED WITHOUT PREJUDICE**. Each party shall bear its own costs.

All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

IT IS SO ORDERED.

SIGNED this 9th day of April, 2019.

AMOS L. MAZZANT

UNITED STATES DISTRICT JUDGE